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**APEX JURIS**

"AN INTERNATIONAL LEGAL TEAM"

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Email: tracy@apexjuris.com

**FACSIMILE TRANSMITTAL SHEET**

TO:	PCT 371 Application	FROM:	Tracy M. Heims
COMPANY:	U.S. Patent & Trademark Office	DATE:	10/11/2005
FAX NUMBER:	(571) 273-8300	TOTAL NO. OF PAGES INCLUDING COVER:	10
PHONE NUMBER:		SENDER'S REFERENCE NUMBER:	050-402
RE:	Response to Missing Requirements	YOUR REFERENCE NUMBER:	SN: 10/532,372

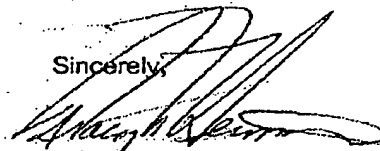
☒ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☒ PLEASE FILE

THE INFORMATION CONTAINED IN AND TRANSMITTED WITH THIS FACSIMILE COVER SHEET CONSTITUTES CONFIDENTIAL INFORMATION, MAY BE SUBJECT TO THE ATTORNEY-CLIENT PRIVILEGE OR THE ATTORNEY WORK-PRODUCT DOCTRINE, AND IS INTENDED TO BE TRANSMITTED AND COMMUNICATED ONLY TO THE INDIVIDUAL AND/OR ENTITY NAMED BELOW. IF THE READER OF THIS COMMUNICATION IS NOT THE INTENDED RECIPIENT, OR IS NOT AN AUTHORIZED EMPLOYEE OR AGENT RESPONSIBLE TO RECEIVE THIS COMMUNICATION FOR AND DELIVER THIS COMMUNICATION TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR DUPLICATION OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY ME BY TELEPHONE AND RETURN THE ORIGINAL COMMUNICATION TO ME AT THE BELOW ADDRESS BY UNITED STATES FIRST CLASS MAIL.

Included herein: Certificate of Transmission (1 page); Transmittal Form (1 page); Letter to the Commissioner (1 page); Copy of Notification of Missing Requirements (2 pages); Oath (4 pages).

Please direct any questions concerning this application to Tracy M Heims at the phone number listed above.

Sincerely,



Tracy M Heims

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PTO/SB/97 (08-03)

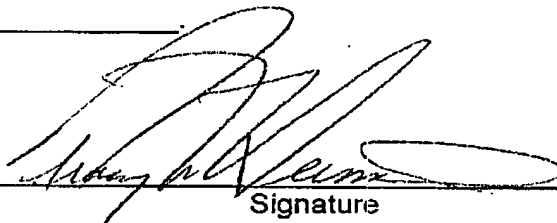
Approved for use through 07/31/2006. OMB 0551-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**Certificate of Transmission under 37 CFR 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on 10/11/2005  
Date

  
Signature

Tracy M Heims

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

1. Letter to the Commissioner (1 page)
2. Transmittal Form, PTO/SB/21 (1 page)
3. Copy of Notification of Missing Requirements (2 pages)
4. Oath (4 pages)

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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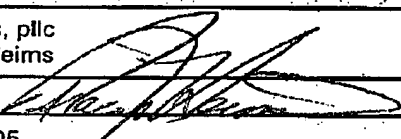
PTO/SB/21 (02-04)

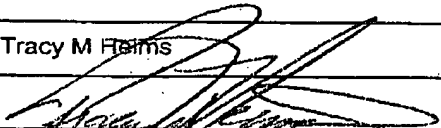
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/532,372	
	Filing Date	04/21/2005	
	First Named Inventor	Masaharu Tamatsu	
	Art Unit	not yet assigned	
	Examiner Name	not yet assigned	
Total Number of Pages in This Submission	9	Attorney Docket Number	050-402

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks Copy of Notification of Missing Requirements under 35 U.S.C. 371		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Apex Juris, PLLC Tracy M Heims
Signature	
Date	10/11/2005

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Typed or printed name	Tracy M Heims
Signature	
Date	10/11/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Maraharu Tamatsu

Application Serial Number: 10/532,372

Filed: 04/21/2005

Examiner: not yet assigned

Title: DATABASE ACCELERATOR

Group Art Unit: not assigned

Attorney Dkt. No.: 050-402

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED OFFICECommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

October 11, 2005

Commissioner:

In the Office Action mailed 08/09/2005 Office stated that the original application filed failed to include an oath or declaration and that in order to avoid abandonment Applicant must submit a properly signed Oath and a late filing fee of \$65. In response to the above requirement applicant herein includes the oath in compliance with 37 CFR 1.497(a) and (b).

Please charge any fee deficiency or credit any overpayment with respect to this paper and or this application to Apex Juris Deposit Account No. 50-2069. Applicant overpaid by \$575 with initial filing and the surcharge of \$64 should be taken from this amount and the remaining amount credited to the above deposit account.

10/17/2005 MKAYPAGH 00000138 502069 10532372  
01 FC:2617 65.00 DA

Respectfully submitted

  
Tracy M. Heims  
Registration No. 53,010APEX JURIS, pllc  
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Seattle, Washington 98125  
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Fax: 206-664-0329

Confidential

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10/11/2005

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/532,372	FIRST NAMED APPLICANT Masaharu Tamatsu	ATTY. DOCKET NO. 050-402
INTERNATIONAL APPLICATION NO. PCT/JP03/13443		
I.A. FILING DATE 10/21/2003		PRIORITY DATE 10/21/2002

35870  
APEX JURIS, PLLC  
13194 EDGEWATER LANE NORTHEAST  
SEATTLE, WA 98125

CONFIRMATION NO. 3926  
371 FORMALITIES LETTER



\*OC000000016726078\*

Date Mailed: 08/09/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 04/21/2005
- English Translation of the IA filed on 04/21/2005
- Copy of the International Search Report filed on 04/21/2005
- Small Entity Statement filed on 04/21/2005
- Request for Immediate Examination filed on 04/21/2005
- U.S. Basic National Fees filed on 04/21/2005
- Priority Documents filed on 04/21/2005
- Specification filed on 04/21/2005
- Claims filed on 04/21/2005
- Abstracts filed on 04/21/2005
- Drawings filed on 04/21/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and International filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

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## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$-510 for a Small Entity:

- \$65 Surcharge.

(A previous payment of \$575 will be applied to the additional fees indicated above.)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/532,372	PCT/JP03/13443	050-402

FORM PCT/DO/EO/905 (371 Formalities Notice)

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